

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND DIVISION**

**JASON SNIVELY, STEPHEN CLARK,
AND ALL OTHERS SIMILARLY
SITUATED UNDER 29 USC 216(B),**

Plaintiffs,

VERSUS

**PEAK PRESSURE CONTROL, LLC,
AND NINE ENERGY SERVICES, L.L.C.**

Defendants.

CIVIL ACTION NO. 7:15-CV-00134-HLH

DECLARATION OF BRUCE MORGAN

I, Bruce Morgan, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the following statements are true and correct based on my personal knowledge of the facts and records referenced herein:

1. I am a person of sound mind who is more than 18 years of age and capable of making this Declaration.
2. I am employed by Nine Energy Service, LLC ("Nine") as Regional Manager, Surface Equipment Solutions, and have been employed by Nine since January 1, 2014. Before then, I held a similar with Peak Pressure Control, LLC ("Peak"), since its inception in 2010.
3. Following a merger, Peak employees became employees of Nine effective January 1, 2014 (collectively Peak and Nine are referred to as the "Company").

4. The Company has been engaged in the business of providing pressure control services to oil and gas production companies in the completion and workover of well sites in the Permian Basin throughout Texas and New Mexico since at least 2012.
5. In my position, I am responsible for, among other things, overseeing all administrative and operational functions of the pressure control services business.
6. The Company is a motor carrier regulated by the U.S. Department of Transportation (“DOT”) operating under USDOT Number 2086221, and has been a registered motor carrier since 2010.
7. The employees responsible for providing pressure control services to Nine’s customers are referred to as pressure control operators (“operators”).
8. Operators are assigned Ford 550 trucks for travel on interstate highways and to perform their duties, which include using the trucks to pull gooseneck trailers transporting heavy equipment to well sites.
9. Ford 550 trucks and loaded trailers together typically weigh more than 30,000 pounds when checked in at weigh stations.
10. Operators are required or reasonably expected to travel across state lines to provide services to customers.
11. Operators are required by the Company to possess a valid Commercial Driver’s License for employment.
12. Operators are required to accurately complete driver logs for DOT compliance purposes.
13. The above job requirements of the Company’s operators have remained essentially unchanged since at least 2012.

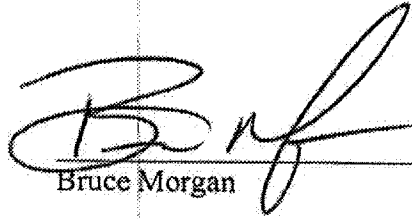
14. The Company's business records include personnel and payroll records, and other records related to personnel and operations matters ("Business Records").
15. The Company's Business Records are made at or near the time of the events by a person with knowledge of the substance of the records.
16. The Company regularly makes and maintains its Business Records in the ordinary course of its business.
17. The Company's operators are highly compensated. At least since 2012, most if not all operators, including the current and former employees listed below, have earned in excess of \$100,000 annually, which includes a base annual salary of at least \$40,000:

Bonilla, Jose	Gomez, Benjamin
Campbell, O'Neil	Griffard, Myles
Carrizales, Jose A.	Hall, Gregory
Castillo, Patrick	Herrera, Adam
Clark, Stephen	Keefer, Evan
Cortez, Aldo	Klein, Jared
Costen, Ross	Martinez, Fernando
Cowan, Jacob L.	Mendoza, Osbaldo
Cox, Charles	Mercado, Enrique
Doggett, Devin	Moreno, Raul Damian
Dukes, Donte Rodney	Munoz, Federico
Everhart, Blaine	Perry III, Clayton
Eylar, Brandon Troy	Pool Jr., Randy Mark

Rivera, Carlos	Snively, Jason M.
Rodriguez, Manuel E.	Stuckly, Jacob
Romero, Jorge	Sullivan, Kerry
Romo, Manuel	Tippie Jr., James
Salazar, Joshua	Titus, LaDon
Samano, Jose	Torres, Johnny
Sanchez, Oscar Rogelio Dovalina	Torres, Vincent
Sanchez, Uriel	Zdionica, Elvis

[SIGNATURE PAGE FOLLOWS]

Dated: January 6, 2016



Bruce Morgan

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